UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

NATTYMAC, LLC, doing business as NATTYMAC CAPITAL, LLC,

Plaintiff,

>

DECLARATION OF KAREN E. HANSELL REGARDING SERVICE OF SUMMONS, COMPLAINT AND CIVIL COVER SHEET UPON DEFENDANT

08 CV 1204 (DLC)

CASE NO.:

ESTATE OF BERNARD TSCHERNIA

FIRST WEST MORTGAGE BANKERS, LTD, a domestic business corporation registered in the State of New York; RICHARD TSCHERNIA, individually as Guarantor and as Director of FIRST WEST MORTGAGE BANKERS, LTD.; ESTATE OF BERNARD TSCHERNIA, Deceased, individually as Guarantor and as President of FIRST WEST MORTGAGE BANKERS, LTD.; and DOES 1 through 10, inclusive.

Defendants.

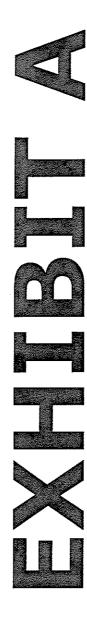
endants.

- I, Karen E. Hansell, declare:
- I am a paralegal for American Mortgage Law Group, P.C., which represents the Plaintiff herein, and I have personal knowledge of each fact stated in this declaration
- I assisted attorneys Evans Prieston and James Brody in the preparation of the subject Summons and Complaint, and thereafter personally facilitated the court filing on September 26, 2007, and subsequent service upon the Defendants. 2
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 m Jo}$ I was advised by James Brody that attorney Michael Freeman, attorney for Defendant Estate of Bernard Tschernia, agreed to accept service on behalf of the Estate Bernard Tschernia. ω.
- On February 19, 2008, I sent via Federal Express the Summons, Complaint, and Freeman's agreement to accept service, a true and correct copy of which is attached hereto as Civil Cover Sheet to Michael Freeman, to be delivered to his office located at 24 West 40th Street, 17th Floor, New York, NY 10018. I included a cover letter confirming Michael 4.

Exhibit "A."

- p.m. The package was signed for by "M. Freeman" at the front desk/reception area. A true and The package containing the Summons, Complaint, Civil Cover Sheet and cover letter were delivered to Michael Freeman's office in New York on February 20, 2008 at 12:44 correct copy of the Federal Express delivery confirmation is attached hereto as Exhibit "B,"
- the first place. A copy of the email request for an extension of time to respond is attached hereto until April 4, 2008. This request would not be made, had not Mr. Freeman accepted service in Brody wherein Michael Freeman requested an extension of time to respond to the Complaint On March 13, 2008, I received an email forwarded to me by attorney James as Exhibit "C."
- not immediately file with the court the proofs of service upon the other Defendants, which I had placed in our litigation files. The parties executed a Settlement Agreement and Mutual Release imminent and it was likely that we would not need to proceed with the lawsuit, therefore, I did Shortly thereafter, I was informed by attorney James Brody that settlement was on April 17, 2008, and an Amendment on May 8, 2008.
- had breached the settlement agreement and that we would now have to proceed with the lawsuit. On June 7, 2008, I was informed by attorney James Brody that the Defendants
- Executed I declare under penalty of perjury that the foregoing is true and correct. in Novato, California on June 6, 2008.

By KAREN E. HANSELL



AMERICAI Mortgage Law Group, P 75 Rowland Way, Suite 350 Novato, CA 94945

February 19, 2008

Telephone (415) 878-0030 Facsimile (415) 878-0035

Via Federal Express

Greenberg & Freeman, LLP 24 West 40th Street, 17th Floor New York, NY 10018 Michael A. Freeman

U.S. District Court, Southern District of New York Case No. 08 CV 1204 NattyMac, LLC, etc. v. First West Mortgage Bankers, Ltd., et al. Re:

Dear Mr. Freeman:

Polasko, the Executor). Therefore, please find enclosed the Summons, Complaint and Civil Case above-captioned Complaint on behalf of the Estate of Bernard Tschernia (by serving Beverly Mr. James Brody has advised me that you have kindly agreed to accept service of the Cover Sheet.

Sincerely,

Karen Stilgasell

Karen E. Hansell Paralegal

> Enclosures \KEH



Karen Hansell

TrackingUpdates@fedex.com From: Wednesday, February 20, 2008 9:50 AM Sent:

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American Mortgage Law Name: Company

Karen Hansell

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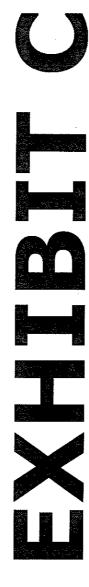
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Karen Hansell

James Brody From:

Thursday, March 13, 2008 2:51 PM Sent:

William Dentinger

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bolster@nattymac.com S FW: Natty Mac Capital, LLC v. First West, et al. [CONFIDENTIAL SETTLEMENT COMMUNICATION] Subject:

Importance: High

James W. Brody | American Mortgage Law Group, P.C. 75 Rowland Way, Suite 350 | Novato, CA 94945 T: 415/878-0030 x. 151 | f: 415/878-0035 | e: jbrody@americanmlg.com

This e-mail (including any attachments) may contain information that is private, confidential, or protected by attorney-client orivilege. If you received this e-mail in error, please delete it from your system without copying it and notify sender by reply e-mail, so that our records can be corrected.

From: Michael A. Freeman [mailto:freeman@greenbergfreeman.com]
Sent: Thursday, March 13, 2008 11:22 AM
To: James Brody; rtschernia@aol.com; msbea31@aol.com
Subject: RE: Natty Mac Capital, LLC v. First West, et al. [CONFIDENTIAL SETTLEMENT COMMUNICATION]

Thank you. You may proceed as we discussed.

For purposes of clarity, we request an extension of time to respond to the complaint until April 4, 2008, with the expectation that the deal will be consummated before then

Michael A. Freeman

Attorney at Law

freeman@greenbergfreeman.com

GREENBERG FREEMAN LLP

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fax 646.366.1384

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